

Converged America

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November 4, 2013

To: Marlene H. Dortch, Secretary
Federal Communications Commission
Office of the Secretary
445 12th Street, SW
Washington, DC 20554

Subject: Appeal of USAC Funding Decision - Docket 02-6

Request for Review

We would like to appeal the decision by USAC to rescind funding for Bogen systems that we installed and maintained for the following FRNs.

471 #	FRNs	School Name	Funding Year
690667	1892556	BAIS PINTHOS	2009
690667	1892740	BAIS PINTHOS	2009
749544	2025271	BAIS PINCHOS	2010
828901	2252355	BAIS PINCHOS	2012
684620	1872199	CON'G AND YESHIVAH OHR ELCHONON	2009
684620	1872289	CON'G AND YESHIVAH OHR ELCHONON	2009
754230	2038290	CON'G AND YESHIVAH OHR ELCHONON	2010
754230	2038312	CON'G AND YESHIVAH OHR ELCHONON	2010
803449	2177711	CON'G AND YESHIVAH OHR ELCHONON	2011
765876	2070366	CONG. BNOS YAAKOV	2010
799841	2166578	MESIVTA KESER TORAH	2011
799841	2166586	MESIVTA KESER TORAH	2011

The letters from USAC stated: After a thorough review, it was determined that the funding commitment for this request. must be rescinded in full. During a review, it was determined that funding was provided for the following ineligible items: Redundant PBX- Bogen PBX Expansion unit.

We would like to appeal this decision based on the following:

The Bogen PBX is not functioning as a redundant PBX rather is was set up and being used in conjunction with the primary PBX. The term PBX as we understand is simply a sum total of all necessary components ,which are not necessarily all by the same manufacturer. This is in true in the case of the Bogen PBX expansion that is utilized in conjunction with the primary PBX where voice traverses analog circuits, digital lines, IP networks, and many forms of wireless signals.

The primary PBX provides the capability for advanced multiline telephone instruments, IP Telephones, voicemail and standard and advanced telephone line interface such as PRI or SIP Trunks. For the areas of the school or library that require standard telephone service (analog circuits) such as class rooms the some schools selected to purchase a Bogen system. The Bogen System and the "primary" PBX are integrated in such a way that they are effectively one system, station-to-station calls and calls to the public switched network flow freely between the two systems.

Also the cost of utilizing the two systems will typically be similar to (or lower than) the cost of adding the additional capacity (through end connections from the same manufacturer as the PBX) to the primary PBX.

Additionally we would like to bring to the FCC attention the fact that the Bogen PBX expansion was also listed as 100% eligible in the USAC Eligible Products Database. Also when the schools applied for the Bogen system USAC was fully aware that the school was applying for a primary PBX it was at times questioned by PIA for the need for the Bogen but USAC was always satisfied with the explanation provided by the schools and they did not consider the Bogen as redundant. It seems the USAC changed their guidelines after the Bogen was installed and paid for.

Morris Lefkovits

A handwritten signature in dark ink, appearing to read 'ML', with a stylized flourish underneath.

Controller